

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARY LOUISE KELLY WOLFINGTON	:	CIVIL ACTION
and RICHARD I. WOLFINGTON	:	
	:	
v.	:	
	:	
DELAWARE RIVER PORT AUTHORITY	:	
OF PENNSYLVANIA AND NEW JERSEY,	:	
OFFICER THEODORE LOEBELL and	:	
OFFICER KENNETH MANNY	:	NO. 04-04655-JF

MEMORANDUM AND ORDER

Fullam, Sr. J.

May 1, 2006

The motion for summary judgment filed on behalf of the individual defendants, Loebell and Manny, will be denied for two reasons: (1) the motion was filed too late, since the response is not due until the date of trial; and, more important, (2) it is obvious that there are disputed issues of material fact, and summary disposition is not justified.

An Order follows.

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and RICHARD I. WOLFINGTON	:	
	:	
v.	:	
	:	
DELAWARE RIVER PORT AUTHORITY	:	
OF PENNSYLVANIA AND NEW JERSEY,	:	
OFFICER THEODORE LOEBELL and	:	
OFFICER KENNETH MANNY	:	NO. 04-04655-JF

ORDER

_____AND NOW, this 1st day of May 2006, upon consideration
of the motion for partial summary judgment filed on behalf of the
defendants Loebell and Manny, IT IS ORDERED:

That the motion is DENIED.

BY THE COURT:

/s/ John P. Fullam

John P. Fullam, Sr. J.